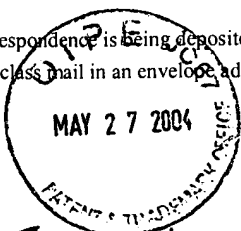


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PATENT
Attorney Docket No.: 019599-000211

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On

May 25, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

Aurora Lowell
Aurora Lowell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William Welch, et al.

Application No.: 10/767,227

Filed: January 28, 2004

For: SYSTEM FOR BANDWIDTH
ALLOCATION IN A COMPUTER
NETWORK

Examiner: Not yet known

Art Unit: Not yet known

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. This application is a continuation of and relies upon U.S. Patent Application No. 09/384,865 ("the parent application") for an earlier effective filing date under 35 U.S.C. §120. In accordance with 37 CFR §1.98(d), copies of those references that have been previously submitted to or cited by the Office in the parent application are not enclosed. In addition, any U.S. patents which have not been previously submitted to or cited by the Office are not enclosed in accordance with the Patent Office waiver issued August 5, 2003 in the Official Gazette, which states as follows:

The Office hereby waives the requirement under 37 CFR §1.98

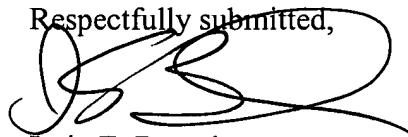
(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003. See 37 CFR §1.491(b).

In accordance with 37 CFR §1.98(a)(2), any copies of foreign patent references, which have not been previously cited, are enclosed. All non-patent literature references were cited in the parent application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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Reg. No. 42,358

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60190318 v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/767,227	
			Filing Date	January 28, 2004	
			First Named Inventor	Welch, William	
			Art Unit	Not yet known	
Examiner Name	Not yet known				
Attorney Docket Number	019599-000211US				
Sheet	1	of	4		

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	A1	US-5,835,495	11-10-1998	Ferriere	
	A2	US-5,956,716	09-21-1999	Kenner et al.	
	A3	US-6,003,030	12-14-1999	Kenner et al.	
	A4	US-6,028,842	02-22-2000	Chapman et al.	
	A5	US-6,046,980	04-04-2000	Packer	
	A6	US-6,052,718	04-18-2000	Gifford	
	A7	US-6,112,239	08-29-2000	Kenner et al.	
	A8	US-6,263,371 B1	07-17-2001	Geagan, III et al.	
	A9	US-6,412,000 B1	06-25-2002	Riddle et al.	
	A10	US-6,415,323 B1	07-02-2002	McCanne et al.	
	A11	US-6,449,650 B1	09-10-2002	Westfall et al.	
	A12	US-6,463,470 B1	10-08-2002	Mohaban et al.	
	A13	US-6,529,508 B1	03-04-2003	Li et al.	
	A14	US-6,535,486 B1	03-18-2003	Naudus et al.	
	A15	US-6,611,872 B1	08-26-2003	McCanne	
	A16				

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	B1	EPO	EP 0 598 969	A1	06-01-1994			<input type="checkbox"/>
	B2	PCT	WO 98 28938	A1	07-02-1998			<input type="checkbox"/>
	B3	PCT	WO 00 74322	A1	12-07-2000			<input type="checkbox"/>

Examiner Signature		Date Considered	
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			Application Number	10/767,227	
			Filing Date	January 28, 2004	
			First Named Inventor	Welch, William	
			Art Unit	Not yet known	
			Examiner Name	Not yet known	
Sheet	2	of	4	Attorney Docket Number	019599-000211US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Amir E., McCanne S., and Zhang H., An Application Level Video Gateway In Proc. ACM Multimedia 1995, San Francisco, CA, Nov. 1995.	
	C2	Arango M., Dugan A., Elliott I., Huitema C. and Pickett S., Media Gateway Control (MGCP) Version 1.0 RFC 2705 Oct., 1999.	
	C3	Atwood, J. W., Catrina, O., Fenton, J., and Strayer, W. Timothy, Reliable Multicasting in the Xpress Transport Protocol Proceedings of the 21st Local Computer Networks Conference, Minneapolis, Minn., Oct. 13-16, 1996.	
	C4	Ballardie A. Core Based Trees (CBT) Multicast Routing Architecture. Request for Comments, RFC 2201, Sep. 1997.	
	C5	Banerjee A., Faloutsos M., and Pankaj R., Designing QoS/MIC: a quality of service sensitive multicast internet protocol, Internet Draft, Internet Engineering Task Force, May 1998.	
	C6	Blazevic L. and Le Boudec J., Distributed Core Multicast (DCM): a routing protocol for many small groups with application to mobile IP telephony, Internet Engineering Task Force, Jun. 1999.	
	C7	Bormann, C., Ott, J., Gehrcke, H.C., Kersch, T., and Seifert, N. "Mtp-2: Towards achieving the S.E.R.O. properties for multicast transport," in International Conference on Computer Communications Networks, (San Francisco, California), Sep. 1994.	
	C8	Casey L., Cunningham I. and Eros R., IP VPN Realization using MPLS Tunnels, Internet Engineering Task Force, Nov. 1998.	
	C9	Decasper D., Dittia Z., Parulkar G., Plattner B. Router plugins: a software architecture for next generation routers Proceedings of the ACM SIGCOMM '98, Vancouver, British Columbia, Canada, Sep. 1998.	
	C10	Deering S. and Cheriton D., "Multicast Routing in Datagram Internetworks and Extended LANs." ACM Transactions on Computer Systems, vol. 8, No. 2, May 1990, pp. 85-110.	
	C11	Deering S., Estrin D., Farinacci D., Jacobson V., Liu C. and Wei L. An Architecture for Wide-Area Multicast Routing. WEE/ACM Transactions on Networking, vol. 4, No. 2, Apr. 1996.	
	C12	Estrin D., Farinacci D., Helmy A., Thaler D., Deering S., Handley M., Jacobson V., Liu C., Sharma P., Wei L. Protocol Independent Multicast-Sparse Mode (PIM-SM). Request for Comments RFC 2362, Jun. 1998.	
	C13	Farinacci D., Hanks S., Li T., Traina P. Generic Routing Encapsulation over IPv4 networks. Request for Comments RFC 1702 Nov. 1994.	
	C14	Farinacci D., Lin A., Speakman T., and Tweedly A., Pretty good multicast (PGM) transport protocol specification, Internet Draft, Internet Engineering Task Force, Jan. 1998.	
	C15	Farinacci D., Wei L., and Meylor J., Use of anycast clusters for inter-domain multicast routing, Internet Draft, Internet Engineering Task Force, Mar. 1998.	

Examiner Signature		Date Considered	
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			First Named Inventor	Welch, William	
			Art Unit	Not yet known	
			Examiner Name	Not yet known	
Sheet	3	of	4	Attorney Docket Number	019599-000211US

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	C16	Fenner W. Internet Group Management Protocol, Version 2, RFC2236 Nov. 1997.	
	C17	Finlayson R. A More loss-Tolerant RTP Payload format for MP3 Audio. Internet Draft Jan. 1999.	
	C18	Finlayson R. IP Multicast and Firewalls. Internet Draft. May 1999.	
	C19	Finlayson R. The UDP Multicast Tunneling Protocol. Internet Draft Jul. 1999.	
	C20	Hampton D., Oran D., Salama H. and Shah D., The IP Telephony Border Gateway Protocol(TBGP), Internet Engineering Task Force, Jun. 1999.	
	C21	Handley M., Crowcroft J., Bormann C., Ott J., Very large conferences on the Internet: the Internet multimedia conferencing architecture, Computer Networks (31)3 (1999) pp. 191-204.	
	C22	Hanks S., Li T. Farinacci D. Traina P. Generic Routing Encapsulation Request for Comments RFC 1701 Oct. 1994.	
	C23	Hodel H., "Policy Tree Multicast Routing: An Extension to Sparse Mode Source Tree Delivery," ACM Computer Communication Review, vol. 28, No. 2, pp. 78-97, Apr. 1998.	
	C24	Holbrook H. and Cheriton D. R., IP Multicast Channels: EXPRESS Support for Large-scale Single-source Applications. Computer Communication Review, a publication of ACM SIGCOMM, vol. 29, No. 4, Oct. 1999.	
	C25	Kumar S., Radoslavov P., Thaler D., Alaettinoglu C., Estrin D., and Handley M., The MASC/BGMP Architecture for Inter-domain Multicast Routing, Proc. of SIGCOMM '98, Sep. 1998, Vancouver, B.C.	
	C26	Lin J.C. and Paul S., Rmtp: A reliable multicast transport protocol. Proceedings of the IEEE INFOCOM '96 pages 1-19.	
	C27	Maffei S., Bisehotberger W.R. and Matzel K.-U., "GTS: A Generic Multicast Transport Service." In UBILAB Technical Report 94.6.1., 1994.	
	C28	Malis A., Heinanen J., Armitage G., Gleeson B A Framework for IP Based Virtual Private Networks Internet Draft Aug. 1999.	
	C29	Mitra S., "Iolus: A framework for scalable secure multicasting," ACM Computer Communication Review, vol. 27, pp. 277-288, Oct. 1997. ACM SIGCOMM'97, Sep. 1997.	
	C30	Parsa M. and Garcia-Luna-Aceves J., "Scalable Internet Multicast Routing", Proceedings of ICCCN 95, Las Vegas, Nevada, Sep. 1995.	
	C31	Perkins C. and Crowcroft J., "Real-time audio and video transmission of IEEE GLOBECOM '96 over the internet," IEEE Communications Magazine, vol. 35, pp. 30-33, Apr. 1997.	

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			Application Number	10/767,227	
			Filing Date	January 28, 2004	
			First Named Inventor	Welch, William	
			Art Unit	Not yet known	
			Examiner Name	Not yet known	
Sheet	4	of	4	Attorney Docket Number	019599-000211US

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	C32	Robertson K., Miller K., White M., and Tweedly A., StarBurst multicast file transfer protocol (MFTP) specification, Internet Draft, Internet Engineering Task Force, Apr. 1998.	
	C33	Schulzrinne H., Casner S., Frederick R., Jacobson V. RTP: A transport protocol for real-time applications. Request for Comments RFC 1889, Jan. 1996.	
	C34	Sharma P., Estrin D., Floyd S. and Jacobson V., Scalable Timers for Soft State Protocols, Proceedings IEEE Infocom '97, Kobe, Japan, Apr. 1997.	
	C35	Thaler D., Estrin D. Meyer D. Border Gateway Multicast Protocol (BGMP): Protocol Specification Internet Draft Nov. 1998.	
	C36	Thyagarajan, A. S. and Deering S. E., Hierarchical Distance-Vector Multicast Routing for the MBone, Sigcomm'95, Cambridge, Massachusetts, Aug. 1995.	
	C37	Waitzman D., Partridge C., Deering S.E., Distance Vector Multicast Routing Protocol. Request for Comments RFC 1075, Nov. 1988.	
	C38	Yavatkar R., Griffioen J. and Sudan M., "A Reliable Dissemination Protocol for Interactive Collaborative Applications", ACM Multimedia 1995, San Francisco, California, Nov. 1995.	
	C39		

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